

3c984 U.S. PTO
07/03/01

Docket No. 2026-4124US5

Express Mail No. EF099158007US



PATENT TRADEMARK OFFICE

↑AFFIX CUSTOMER NO. LABEL
ABOVE ↑

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Yutaka Kawakami
228 Congressional Lane
Rockville, Maryland 20852
- (2) Steven A. Rosenberg
10104 Iron Gate Road
Potomac, Maryland 20854

☐ Additional inventors are listed on a separate sheet

For: **MELANOMA ANTIGENS AND THEIR USE IN DIAGNOSTIC
AND THERAPEUTIC METHODS**

Enclosed Are:

- 116 page(s) of specification
1 page(s) of Abstract
5 page(s) of claims
7 sheets of ☐ Formal ☒ Informal drawings
2 page(s) of Declaration and Power of Attorney

- ☐ Unsigned
☐ Newly Executed
☒ Copy from prior application
☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

1c903 U.S. PTO
09/09/8660
107/03/01

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☒ Incorporation by Reference:

☒ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.

☐ Microfiche Computer Program (Appendix)

☒ Forty eight (48) page(s) of Sequence Listing

☐ computer readable disk containing Sequence Listing

☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ Assignment Papers (assignment cover sheet and assignment documents)

☐ A check in the amount of \$40.00 for recording the Assignment

☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.

☒ Assignment Papers filed in the parent application Serial No. 09/267,439

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☐ Priority is claimed under 35 U.S.C. §119 for:

Application No(s). _____, filed _____, in _____ (country).

☐ Certified Copy of Priority Document(s) [_____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ English translation document(s) [_____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

- ☒ Information Disclosure Statement
- ☐ Copy of [] cited references
- ☒ PTO Form-1449
- ☒ References cited in parent application Serial No. 09/267,439, filed March 12, 1999.
- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ This is a ☐ continuation ☒ divisional ☐ continuation-in-part of prior application serial no. 09/267,439, filed March 12, 1999, to which priority under 35 U.S.C. §120 is claimed.
- ☒ Cancel in this application original claims 2-8, 10-14, 16-21 and 23-35 of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☒ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application

- ☒ Amend the specification by inserting before the first line the sentence:
 This is ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending
 application Serial No. 09/267,439, filed March 12, 1999.

I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$710.00/355.00
Total Claims	10 - 20 =	0 x	\$18.00/ \$9.00	\$
Independent Claims	4 - 3 =	1 x	\$80.00/ \$40.00	\$ 80.00
<input checked="" type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$270.00 (\$135.00)		\$ 270.00
TOTAL:				\$1060.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$_____.
- ☐ A check in the amount of \$_____ in payment of the application filing fees is attached.
- ☒ Charge fee to Deposit Account No. 13-4500, Order No. 2026-4124US5. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4124US5. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: July 3, 2001

By: 

Dorothy R. Auth
 Reg. No. 36,434

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
 345 Park Avenue
 New York, NY 10154-0053
 (212) 758-4800 Telephone
 (212) 751-6849 Facsimile

RELATED CASE SUBMISSION

Attorney Docket:
2026-4124US5

Divisional of Serial No.:
09/267,439

Applicant:
Kawakami et al.

Filing Date:
July 3, 2001

Group Art Unit:
1642

RELATED PENDING APPLICATIONS

Examiner Initial		Serial No.	Filing Date	Inventor(s)	Patent No. (if applicable)	Issue Date (if applicable)
	1	08/231,565	April 22, 1994	Kawakami et al.	5,874,560	February 23, 1999
	2	08/417,174	April 5, 1995	Kawakami et al.	5,844,075	December 1, 1998
	3	09/007,961	January 16, 1998	Kawakami et al.	5,994,523	November 30, 1999
	4	09/073,138	May 5, 1998	Kawakami et al.		
	5	09/267,439	March 12, 1999	Kawakami et al.		
	6					
	7					
	8					
	9					
	10					
	11					
	12					
	13					
	14					
	15					
	16					
	17					
	18					
	19					
	20					
Examiner			Date Considered			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kawakami et al. Group Art Unit: 1642
Divisional of
Serial No. : 09/267,439 Examiner: Huff, S.
Filed : Herewith
For : MELANOMA ANTIGENS AND THEIR USE IN DIAGNOSTIC
AND THERAPEUTIC METHODS



EXPRESS MAIL CERTIFICATE

Express Mail Label No.: **EF099158007US**

Date of Deposit: **July 3, 2001**

I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Fee Transmittal (1.53(b) (4 pages);
2. Patent Application (116 pages of Specification, 1 pages of Abstract, 5 pages of Claims and 7 sheets of informal drawings);
3. Sequence Listing (48 pages);
4. Related Case Submission;
5. Copy of Combined Declaration and Power of Attorney (2 pages);
6. Copy of Assignment (2 pages); and
7. Copy of IDS (4 pages) and PTO Form 1449 (3 pages), and
8. Return postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Albert Isles

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile